

REMARKS

Claim 1 is amended. No new matter has been added by this amendment. Reconsideration and allowance is requested based on the above amendments and the following remarks.

Priority Claim

Applicants request that the Office respond to the claim to priority made in the preliminary amendment received by the Office on Dec. 22, 2004.

Claims 1-64 are Patentably Distinct Over the Prior Art

Claims 1-64 are rejected under 35 U.S.C. § 102(b) as being anticipated by Spies et al. (U.S. Pat. No. 5,689,565) ("Spies"). Applicants traverse the rejections and assert that the amended claims are patentably distinct over Spies.

Claim 1-25 are Patentable Over the Cited Prior Art

Claim 1, recites in part:

a secure network interface engine executing on said cryptographic key server,
said secure network interface engine operable:

to establish a secure network communication channel with at least one remote device;

to unmarshal secured cryptographic service requests received from said at least one remote device; and

to marshal and transmit secure cryptographic service responses to said at least one remote device; and
a cryptographic service engine

...

operable to provide cryptographic services requested by said at least one remote device via said secure network interface engine,

wherein said cryptographic service requests are comprised of input data to be transformed;

at least one unique identifier for identifying at least one key for performing the transformation; and

instructions for how the cryptographic service engine should transform the data

The bolded elements are not disclosed or suggested by the cited prior art. In Spies, encryption of data is performed by the same computer in the same address space as the application program. See Spies, c. 3, ll. 17-31 and c. 5., ll. 7-18. DLLs are disclosed in Spies, and Fig. 10 illustrates the PAPI, CSP, CAPI, and commerce application as all residing

in the same address space. The cryptographic key material then exists within the same address space, so it is still vulnerable to hacking. See *Spies*, c. 2, ll. 16-21. Further, the server of FIG. 1 is only providing a certificate and not cryptographic services as recited in claim 1. The computers in FIG. 1 are “communicating among the participants to the transaction without any interaction between the participants and the trusted certificate authority.” *Spies*, c. 6, ll. 62-64. So, the encryption is occurring on the computers and not the server. See Fig. 1 of *Spies*. And c. 6, ll. 28-31.

In contrast, claim 1 recites “establish a secure network communication channel” and receiving input data, one unique identifier, and instructions for how the cryptographic service engine should transform the data. This combination is simply not disclosed in *Spies* and enables the cryptographic key server to establish a remote connection to a remote device and then provide encryption services on a server remote from the device.

Therefore, withdrawal of the rejection of claim 1 is requested. Additionally, since claims 2-25 depend from claim 1, withdrawal of the rejections of claims 2-25 is requested for at least the same reasons as for claim 1.

Claim 26-64 are Patentable Over the Cited Prior Art

Claim 33 recites in relevant part:

establishing a set of private keys on a networked key server

The bolded elements are not disclosed or suggested by the cited prior art. As discussed above the server in *Spies* only provides a certificate.

Therefore, withdrawal of the rejection of claim 33 is requested. Additionally, since claims 34-41 depend from claim 33 withdrawal of the rejections of claims 33-41 is requested for at least the same reasons as for claim 33.

Additionally, since claims 26-32 and claims 42-64 were rejected for identical reasons, withdrawal of the rejections of claims 26-32 and 42-64 is requested.

Conclusion

In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims 1-64, is in condition for allowance and a notice of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone at the Examiner's discretion.

Respectfully submitted,

THOMAS FOUNTAIN, ET AL.

BY: 

GREGORY R. GRACE
Registration No. 59,733
Tel: (215) 9880-2940
Fax: (215) 988-2757
Attorney for Applicants

June 11, 2009